NATIONAL RECONNAISSANCE OFFICE
WASHINGTON, D.C.

[redacted]

OFFICE OF THE DEPUTY DIRECTOR

June 30, 1972

NOTE FOR MR. KRUEGER

Thank you for sending me the copy of your May 16 internal memorandum on defining outer space. I think that it would be appropriate to provide some thoughts to you and General Smart on this issue as seen from the NRO perspective. As you know, we have been following the activities of the UN Outer Space Committee quite closely over the past several years. We have worked directly with OSD(ISA) and State on many issues, including the definition question. In view of our overall impression of the recent meeting of the Legal Subcommittee, we are somewhat surprised to note the sense of urgency perceived by your representative to the suggestion raised by one of the [redacted] representatives.

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We believe that it would be advisable to continue a low-key attitude toward entering discussions on defining outer space. To enter a protracted legalistic debate on the issue at this time might serve to focus an undesired amount of attention upon the operational nature of U.S. reconnaissance programs which are dependent upon a permissive environment. Furthermore, should UN debate result in an untenable lower limit of space, say 150 km, our capabilities would be impaired. We have found it prudent in the past to avoid stimulating UN discussion of the issue and feel that it would be wise to continue this policy.

Informal discussions with OSD(ISA) and State indicate support for holding back on the issue and not taking an

initiative in introducing the subject. We do not feel that the territorial water analogy is valid with regard to space, since no country except the Soviet Union and perhaps the U.S. has the ability to "enforce" encroachment on territorial space at this time.

We would appreciate your good offices in requesting your international people to adopt a low-key view of the definition question until some future time--at least until such time as the legality and ethicality of earth resources surveying has been sorted out in the UN forum.

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F. Robert Naka